

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

NATHANIEL HARRIS,)
)
Petitioner,)
)
v.) CIVIL ACTION NO. 10-00034-WS-N
)
TONY PATTERSON,)
)
Respondent.)

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated May 7, 2010, is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that the petitioner's Motion to Vacate, Set Aside or Correct Sentence is **DISMISSED** for failure to seek authorization from the Eleventh Circuit Court of Appeals pursuant 28 U.S.C. § 2244(b)(3)(A) to file a successive petition, and that a Certificate of Appealability is **DENIED**.

Done this 8th day of June, 2010.

s/WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE